

13.2, they lack the same or corresponding special technical feature because the methods of claims 1-3, 8-11 and 26 were known in the prior art (as shown by Richardson et al. *J Dairy Sci* 66:2278-2286). In particular, it was alleged that Richardson et al. discloses the methods encompassed by claims 1-3, 8-11 and 26. Therefore, allegedly, the invention of the aforementioned claims does not contribute over the prior art. Office Action, page 2.

Applicants respectfully disagree and request reconsideration of the holding that claims 1-3, 8-11 and 26 are unpatentable over Richardson et al. It is notable that the Richardson et al. reference was considered during the international stage of the predecessor PCT application (PCT/DK99/00382). In the international Preliminary Examination Report completed on September 19, 2000, it was stated that claims 1-27 were novel and possessed inventive steps in view of the Richardson et al. reference (and Nilsson et al., "Isolation of Purine Auxotrophic Mutants of *Lactococcus Lactis* and Characterization of the Gene *hpt* Encoding Hypoxanthine Guanine Phosphoribosyltransferase" *Mol. Gen. Genet*, 235:359-364 (1992)).

A copy of that International Preliminary Examination Report is included for the Examiner's convenience.

For at least the above reasons, it is submitted that claims 1-3, 8-11 and 26 are patentable in view of Richardson et al. and there is a technical relationship among all claims of the application involving at least the special technical feature of claims 1-3, 8-11 and 26.

It is further submitted that claims 1-27 satisfy the unity of invention rules and therefore all claims must be examined in this application. 37 C.F.R. § .475(b) states, in